

10/12/01  
10985 U.S. PTO

10/15/01

PATENT

Attorney Docket No.: HOGAN-06650

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Box Patent Application**

Assistant Commissioner For Patents  
Washington, D.C. 20231

jc879 U.S. PRO  
09/976423  
10/12/01

**NEW APPLICATION TRANSMITTAL**

Transmitted herewith for filing is the patent application of Kirk Hogan for **Methods and Compositions for Perioperative Genomic Profiling**.

**CERTIFICATION UNDER 37 C.F.R. § 1.10**

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the U.S. Postal Service on this date **October 12, 2001** in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number **EL 837 033 180 US** addressed to: **Box Patent Application, Assistant Commissioner For Patents, Washington, D.C. 20231.**

Susan M. McClintock

Susan M. McClintock

**1. Type Of Application**

This new application is for a(n)

Original (nonprovisional)  
 Continuation-In-Part (C-I-P).

**2. Benefit Of Prior U.S. Application(s) (35 U.S.C. §§ 119(e), 120, or 121)**

The new application being transmitted claims the benefit of prior U.S. application(s) and enclosed are **ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.**

**3. Papers Enclosed That Are Required For Filing Date Under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153**

**(Design) Application**

59 Pages of Specification  
3 Pages of Claims  
1 Page of Abstract  
5 Sheets of Formal Drawings

**4. Combined Declaration and Power of Attorney For Patent Application**

Enclosed  
 Unexecuted.

**5. Inventorship Statement**

The inventorship for all the claims in this application is:

the same

**6. Language**

English

**7. Fee Calculation (37 C.F.R. § 1.16)**

Regular application

**CLAIMS AS FILED**

Number Filed	Number Extra	Rate	Basic Fee - \$740.00 (37 C.F.R. § 1.16(a))
Total Claims (37 C.F.R. § 1.16(c))	23 - 20 =	3 × \$18.00 =	\$54.00
Independent Claims (37 C.F.R. § 1.16(b))	3 - 3 =	0 × \$84.00 =	\$0.00
Multiple Dependent Claim(s), if any (37 C.F.R. § 1.16(d))		+ \$280.00 =	\$0.00
<b>Filing Fee Calculation</b>			\$794.00

**8. Small Entity Statement(s)**

Verified Statement(s) that this is a filing by a small entity under 37 C.F.R. §§ 1.9 and 1.27.

Filing Fee Calculation (50% of above)	\$397.00
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9. **Fee Payment Being Made At This Time**

<input checked="" type="checkbox"/> Enclosed	
<input checked="" type="checkbox"/> basic filing fee	\$397.00

Total Fees Enclosed	\$397.00
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10. **Method of Payment of Fees**

<input checked="" type="checkbox"/> Check in the amount of \$397.00
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11. **Authorization To Charge Additional Fees and Credit Overpayment**

<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No.: 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.
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12. **Return Receipt Postcard**

<input checked="" type="checkbox"/> Enclosed
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Dated: October 12, 2001

David A. Casimir  
Registration No.: 42,395

MEDLEN & CARROLL, LLP  
101 Howard Street, Suite 350  
San Francisco, California 94105  
415/904-6500

 **Incorporation By Reference Of Added Pages**

<input checked="" type="checkbox"/> Plus Added Pages For New Application Transmittal Where Benefit Of Prior U.S. Application(s) Claimed
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Number of pages added 1

**ADDED PAGES FOR APPLICATION TRANSMITTAL  
WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED**

13. **Relate Back**

- A. 35 U.S.C. § 119(e)
- B. 35 U.S.C. §§ 120, 121 and 365(e)

Amend the Specification by inserting before the first line the sentence: "This is a Continuation-In-Part of copending application(s) Serial No. 09/613,887 filed on 07/11/2000"

14. **Further Inventorship Statement Where Benefit Of Prior Application(s) Claimed**

- a. This application discloses and claims additional disclosure by amendment and a new declaration or oath is being filed. With respect to the prior application, the inventor(s) in this application are the same.

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jc985 U.S. PTO

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Plus Added Pages For New Application Transmittal Where Benefit Of Prior U.S. Application(s)

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Number of pages added 1

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